

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

United States of America,	)	Case No. 5:04-cr-00166-1
	)	
Plaintiff,	)	
v.	)	Judge James S. Gwin
	)	
Mark D. Backhaus,	)	
	)	
Defendant.	)	<b><u>Mark D. Backhaus's Notice of Appeal</u></b>

Notice is hereby given that Mark D. Backhaus, Defendant, appeals to the United States Court of Appeals for the Sixth Circuit from the judgment and sentence originally imposed on October 15, 2004 and vacated and re-entered on February 25, 2008. *See* ECF Nos. 35 and 40. Judgment was re-entered on February 25, 2008 to permit this appeal. *See* ECF No. 40.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

A copy of the foregoing Mark D. Backhaus's Notice of Appeal has been filed electronically this 25<sup>th</sup> day of February, 2008. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ John F. McCaffrey  
Attorney for Mark D. Backhaus